

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

<b>LIMOLINER, INC.,</b>	)	
<b>Appellant,</b>	)	
	)	
<b>V.</b>	)	<b>DOCKET NO: 1:11-CV-11877-JCB</b>
	)	
<b>DATTCO, INC.,</b>	)	
<b>Appellee.</b>	)	

**DATTCO, INC.'S LIMITED OPPOSITION TO LIMOLINER, INC.'S  
APPLICATION FOR WRIT OF EXECUTION**

Defendant Dattco, Inc. in the above matter hereby opposes plaintiff LimoLiner, Inc.'s Application for Writ of Execution to the extent it seeks to have this Court assess *post-judgment* interest at the rate of 12%, instead of the rate for *post-judgment* interest called for in 28 USC §1961. As grounds therefor, Dattco states as follows:

1. This is a diversity matter in which the original judgment was entered on October 14, 2014.
2. In that judgment, the parties specifically agreed to *pre-judgment* interest in the amount of 12%.
3. The parties have made no agreement as to the amount or rate of post-judgment interest.
4. Federal law governs the entitlement to *post-judgment* interest in any federal civil suit, including a diversity suit. *Vazquez-Filippetti v. Cooperativa de Seguros Multiples de Puerto Rico*, C.A.1 (Puerto Rico) 2013, 723 F.3d 24, on remand 2014 WL 12724978.
5. Since there is no agreement between the parties as to a different interest rate for *post-judgment* interest in this matter, the rate for *post-judgment* interest should be calculated at the rate set forth in 28 USC §1961.

WHEREFORE, while Dattco, Inc. does not oppose issuance of a writ of execution, it should be issued for the amount of the original judgment, plus *post-judgment* interest calculated per the provisions of 28 USC §1961.

Dattco, Inc.,  
By its Attorneys,  
WILLIAMS & ASSOCIATES

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 9, 2019, I electronically filed the foregoing document with the United States Court of Appeals for the First Circuit by using the CM/ECF system. I certify that the following parties or their counsel of record are registered as ECF Filers and that they will be served by the CM/ECF system:

Jonathon D. Friedmann, Esq., Rudolph Friedmann, LLP, 92 State Street, Boston MA 02109; and,

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